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The Air Force Is Not Going To Court Martial You for Sharing your Faith

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9.0—Miscellaneous

12.0—Military criminal justice

Some conservative news outlets and radio talk show hosts have accused the Air Force of threatening to court martial military personnel (including chaplains) for sharing their Christian faith with fellow service members. These outlets and hosts cite sections 2.11 and 2.12 of *Air Force Instruction 1-1* dated 7 August 2012. This instruction has the status of a lawful general order. It is published and available on-line, and all Air Force personnel are charged with knowledge of it. Other services have similar regulations. A service member can be convicted of violating a lawful general order, without it being necessary for the prosecutor to prove that the defendant had actual knowledge of the order. All service members are charged with knowledge of lawful general orders, just as all residents are charged with knowledge of statutes. Ignorance of the law is no excuse.

Here are the two pertinent sections:

2.11. Government Neutrality Regarding Religion. Leaders at all levels must balance constitutional protections for an individual's free exercise of religion or other personal beliefs and the constitutional prohibition against governmental establishment of religion. For example, they must avoid the actual or apparent use of their position to promote their personal religious beliefs to their subordinates or to extend preferential treatment for any religion. Commanders or supervisors who engage in such behavior may cause members to doubt their impartiality and objectivity. The potential result is a degradation of the unit's morale, good order, and discipline. Airmen, especially commanders and supervisors, must ensure that in exercising their right of religious free expression, they do not degrade morale, good order, and discipline in the Air Force or degrade the trust and confidence that the public has in the United States Air Force.

2.12. Free Exercise of Religion and Religious Accommodation. Supporting the right of free exercise of religion relates directly to the Air Force core values and the ability to maintain an effective team.

2.12.1. All Airmen are able to choose to practice their particular religion, or subscribe to no religious belief at all. You should confidently practice your own beliefs while respecting others whose viewpoints differ from your own.

2.12.2. Your right to practice your religious beliefs does not excuse you from complying with directives, instructions, and lawful orders; however, you may request religious accommodation. Requests can be denied based on military necessity. Commanders and supervisors at all levels are expected to ensure that requests for religious accommodation are dealt with fairly.

Please notice that the regulation is absolutely neutral as to religion—it is not aimed at the Christian faith or any specific faith. It forbids a military senior from using apparent military authority in an attempt to prevail upon military subordinates to change their religious faiths or to embrace a faith.

I think that this regulation draws a reasonable balance on a delicate question. Yes, you have the right to share your faith, but your military subordinates also have the right to be free from coercive proselytizing. There is a time and a place for everything, and a captive audience speech to your military subordinates is not the appropriate way for you to share your faith with them. Follow this regulation, or a similar regulation for your service, and you will not have problems. And don't be misled by charlatans who want to use this issue as grist for direct-mail fundraising campaigns.